

**BOARD OF DIRECTORS – ACTION SUMMARY**  
**Wednesday, April 14, 2004 – 6:00 p.m.**

**Administration Building**  
**2101 Hurley Way, Sacramento, CA**

**CALL TO ORDER**

The meeting was called to order by President Stewart at 6:15 p.m. Board Members present: Duveneck, Engellenner, Jones, Goold, Granados, Lawson, Stewart, Trujillo, Valley. Staff: Fire Chief Martinez, General Counsel Price, Board Clerk Tilson.

**PLEDGE OF ALLEGIANCE**

**BREAK – RECESS TO CLOSED SESSION 6:18 PM**

**RECONVENE TO OPEN SESSION 7:20 PM**

Report by General Counsel Price:

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to California Government Code Section 54956.9(a) – One (1) Case

Gary Monk vs Sacramento Metropolitan Fire District  
Sacramento County Superior Court Action No. 04AS 00665

Agendize for another Board Meeting.

**2. PERSONNEL MATTERS**

Pursuant to California Government Code Section 54957

Fire Chief's Evaluation

The Board provided an evaluation to the Fire Chief. No further action taken.

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA**

**CONSENT AGENDA:**

- 1. Special Board Meeting Action Summary—March 9, 2004**
- 2. Board Meeting Action Summary—March 17, 2004**

- **Board Action:**

*Granados/Engellenner—approve the Consent Agenda. Directors Duveneck, Engellenner, Goold, Granados, Jones, Lawson Stewart, Trujillo, Valley, AYE. Motion carried.*

**ACTION ITEM(S)****1. Request for Waiver/Reduction of District Capital Fire Facilities Fee-Sunnyslope Apartments—(Price)**

- The developer of the Sunnyslope Apartments located at 6620 Sunnyslope Drive, Sacramento, has requested that the District either waive or reduce the Capital Fire Facilities Fee assessment of \$18,691 for their proposed project of a 32 unit affordable housing development in South Sacramento.
- Tom Dawson of Pacific American Properties, general partner for the development of the Sunnyslope Apartments, and Jon Opfell of Precision General Contractors, both spoke on behalf of the request stating this is a 100% affordable housing project lacking the ability to charge higher rents. Additional costs present a financial hardship. The project commenced in 2001 but was delayed until after the Fire Facilities fee was instituted due to complex permit issues in the County. Requested the Board grant a waiver of the fees.
- Richard Marsh, financial analyst with the Sacramento Housing and Redevelopment Agency (SHRA), only addressed the fact that this is an excellent project supported by the Agency. The Agency is providing a loan of \$1.3 million as part of the financing for the \$3.8 million project, which provides badly needed affordable apartments with capped rents. The County has waived some fees.
- Concern was expressed with setting a precedent in the waiver or reduction of fees.
- Fire Chief Martinez stated District revenue is derived from property tax but as long as this remains a redevelopment area, the District will be providing free fire service without any revenue return even though the property generates around \$38,000 annually in property tax. The District is making a tremendous contribution already in fire protection.
- **Board Action:**  
*Engellenner/Duveneck—deny the appeal for waiver or reduction of the Capital Fire Facilities fees. Directors Duveneck, Engellenner, Goold, Granados, Jones, Trujillo, Valley, Stewart, AYE. Director Lawson, abstaining. Motion passed.*

**2. Board Clerk Status—(Granados/Stewart)**

- Director Granados stated that the Policy Committee unanimously recommended the Board Clerk be placed under the purview of the Board rather than the Fire Chief and the issue be moved to the full Board.

The only issues of concern expressed by Fire Chief Martinez were supervision/identification of supervisor and sharing of information received from the public and the Board of Directors.

- Fire Chief Martinez provided clarification, recommending that the current reporting status of the Board Clerk remain status quo.

- **Board Action:**

*Duveneck/Valley—maintain the present joint reporting and supervision by the Board and Fire Chief of the Board Clerk's position. Directors Duveneck, Goold, Jones, Valley, Stewart, AYE. Directors Engellenner, Granados, Lawson, Trujillo, NO. Motion passed 5-4 vote.*

**3. Proposal for Public Relations Television Program—(Perkins/Ellis)**

- Presentation received on proposal for a public affairs television program, "Fire Line."

The new show is scheduled to air on KCRA Channel 3 on a Sunday timeslot at 6:30 p.m. with a potential of reaching over 200,000 households in the greater Sacramento viewing area that includes the Sacramento/Stockton and Modesto television market. The long-term goals could include franchise opportunities to expand our media audience, recoup production costs, and increase production quality by generating more revenue and corporate sponsorship.

The relationship with KCRA provides an opportunity to utilize KCRA news personalities and partnering to do other cross-promotions and tie-ins to KCRA and promote other Metro Fire sponsored events.

The contract with E Motion Video provides for 4 shows to be produced in fiscal year 2004/2005 at a cost of \$100,000. The current budget allows for the expenditure of \$90,000 for 3<sup>rd</sup> Alarm which will no longer be produced, with an offset deficit of \$10,000 to be absorbed by the Community Services budget without any overall budget increase.

- Staff recommends entering into a contract with E Motion Video and KCRA for a public affairs show that will promote fire safety in the community and promote and publicize the operations, programs and services of Sacramento Metropolitan Fire District.
- In response to Director Lawson's inquiry of future partnering with Channel 58 and utilizing excess television timeslots for educational programming, Chief Perkins stated other broadcast mediums and opportunities will be evaluated.
- **Board Action:**  
*Trujillo/Duveneck—approve the staff recommendation. Directors Duveneck, Engellenner, Goold, Granados, Jones, Lawson, Stewart, Trujillo, Valley, AYE. Motion passed.*
- Hal Sloan, President of E Motion Video, presented a brief demonstration video.

#### 4. Investigator Job Description—(Means)

- Tabled at the Policy Committee meeting today.
- Director Trujillo stated previously he discussed formation of an ad hoc committee to evaluate the Investigator job description and bring back some recommendations. He volunteered as Chair and requested additional participation. Directors Jones and Lawson and Fire Marshal Dobson volunteered to serve on the subcommittee.

#### 5. Fire Chief Compensation—(Means)

- A two-page staff report was submitted with a recommendation that the Board implement the proposed salary adjustment of eight and one-half percent (8.5%) for the position of Fire Chief based upon the secured and unsecured property tax growth, effective January 1, 2004 and each January 1 for a period of three (3) years from the effective date.

The Fire Chief's benefits would continue to be tied to the Senior Staff portion of the Unrepresented Employees Resolution as specified by his employment contract.

Should the Board take action in the second or third years to stop and or modify the prescribed salary adjustments for the Represented Labor Groups and the Unrepresented Employees, the Fire Chief agrees to be subject to the same modifications(s).

- **Board Action:**  
*Duveneck/Goold—approve the staff recommendation. Directors Duveneck, Goold, Jones, Valley, Stewart, AYE. Directors Engellenner, Granados, Lawson, Trujillo, NO. Motion passed 5-4 vote.*

Director Goold departed the meeting at 8:23 p.m.

## PRESENTATION ITEM(S):

### 1. 2004-2005 Preliminary Budget—(Martinez/Simcoe)

- Following a presentation to the Finance Committee today, the Preliminary Budget was referred to the full Board.
- Fire Chief Martinez submitted a four-page staff report accompanied by the draft 2004/2005 Preliminary Budget.
- Preliminary budget is required by statute to be adopted by June 30, 2004.
- Administratively reducing expenses in the current year budget to refine the revenue and lessen the impact on the final budget:
  - Reassignment of staff to the line to alleviate overtime costs.
  - Authorized staff positions being transferred under available grants to eliminate salary costs in the short term.
  - Reduction in the cost of Services and Supplies and Fixed Assets.
- The percentage distribution of the reoccurring revenue is as follows:

	% of Annual Revenues
Personnel Benefits	85.95%
Services and Supplies	12.49%
Taxes, Licenses, Assessments	1.86%
Fixed Assets	2.52%
<b>Total General Operating Budget</b>	<b>102.82%</b>

The Preliminary Budget is in excess of the projected annual revenue by 2.82% or approximately \$3.3 million.

This budget deviates from prior years with recommended use of \$3.3 million in Undesignated Reserves on a temporary basis to cover the shortfall until a more accurate estimation of revenue is available after the property tax posting in late June and determination of ambulance revenue.

- The Preliminary Budget consists of three budget units: General Operating, Capital Improvement Program (CIP), and the One-Time Expenditure Plan.

- **Funding:**

Total Annual Revenues	\$ 114,851,698
Transfers:	
Reserves - (CIP)	\$ 307,000
Fund Balance – (One-Time Expenditure Plan)	\$ 180,000
Fund Balance – (General Operating)	\$ 3,237,270
<b>Total Funding</b>	<b>\$ 118,575,968</b>

**Budgets:**

General Operating	\$ 118,088,968
Capital Improvement Program	307,000
One-Time Expenditure Plan	\$ 180,000

<b>Total 2004/2005 Preliminary Budget</b>	<b>\$ 118,575,968</b>
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The General Operating Budget is funded entirely from reoccurring revenue and provides for all ongoing expenditures of Personnel Benefits; Services and Supplies; Taxes, Licenses, Assessments; and Fixed Assets including fleet replacement.

- Property tax revenues are on target projected at 9%. Also, included in the revenue projections are \$1.8 million for the service contract for the McClellan Park protection area of the District.
- A shortfall in the ambulance revenue projection of about \$1.5 million is anticipated. A fee adjustment can be instituted if necessary.
- A Resolution will be brought back at the next meeting for adoption of the preliminary budget, with adjustments to be made in the final budget when actual revenue figures are known.

## 2. **Sacramento County Retirement System—Health Premiums Offset— (Martinez/Simcoe)**

- A two-page staff report was submitted relative to District notification by the Sacramento County Employees' Retirement System (SCERS) that medical and dental premium offsets will end effective July 2004 for retirees enrolled in Sacramento County Sponsored medical plans.

- The Florin Fire District and the North Highlands Fire District are predecessor agencies of the Sacramento Metropolitan Fire District. Pension and health benefits for those agencies and its retirees are covered under SCERS. As a result of the SCERS Board's action to eliminate the funding source for medical and dental premium offsets, an evaluation of the information and details is currently in progress by District staff for the purposes of providing a complete presentation to the Board as soon as possible.
- Brian Rice, Local 522 President, stated the union is in the same position as the District and they need more information.
- Dave Rowell accompanied by Lynn Frost, retirees from Florin, stated according to the letter received, there are a total of 100 employees from special districts including Cemetery and Water. The three specific fire districts named are North Highlands, Sacramento Metro, and Florin. He offered the District and union a copy of the letter he received and any other information of help.
- Director Valley stated he is also a member involved and must recuse himself from discussion. However, he had information available and a list of all the employees if General Counsel determines it is permissible for submission.
- Fire Chief Martinez stated the District will work to resolve the issue.
- Director Lawson encouraged reaching out to the California Alliance for Retired Americans and personally offered to work with the retiree group through his office.

**PRESIDENT'S REPORT—(Stewart)** None.

**FIRE CHIEF'S REPORT—(Fire Chief Martinez)**

- Referred to a letter in the agenda packet from the County of Sacramento regarding plans to outsource the processing of the special district payroll to a third party payroll provider which will allow for direct deposit for those interested.

In response to Director Granados, Fire Chief Martinez stated the District can research the suggestion of working with the third party provider directly.

- April 28 Board meeting – will be out-of-town on District business. A group will be looking at funding opportunities for national training, and lobbying at the Federal level to maintain the Coast Guard's presence at McClellan.

**GENERAL COUNSEL'S REPORT—(Price)**

- A settlement has been reached in the case of Joe Anderson vs Sacramento Metropolitan Fire District, WCAB SAC 0330984. The District in cooperation with staff and our Third Party Administrator secured a stipulated settlement within the settlement authority provided by the Board in the amount of \$102,235 plus costs for future medical treatment.
- The Gary Monk litigation will be postponed to another Closed Session meeting due to the late hour.

**COMMITTEE AND DELEGATE REPORTS:**

[Taken out of order after Closed Session]

**Executive Committee—(Stewart)**

- Next meeting: TBA

**Communications Center Delegate—(Engellenner)**

- On April 21, the list of the 12 final candidates for Comm Center Manager will be evaluated and rated by a five-member team representing the Comm Center participating agencies. The Board will interview the top three candidates.
- Preliminary Budget report attached currently reflects a 5.76% increase for Metro but it may decrease.
- Next Meeting: April 27, 2004 – 10:30 a.m.

**California Fire & Rescue Training Authority—(Goold)**

- Next Meeting: June 7, 2004 – 10:00 a.m.

**Finance Committee—(Jones)**

- Next Meeting April 28, 2004 at 5:00 p.m.

**Policy Committee—(Granados)**

- Board gave direction to form an ad hoc committee to do the Investigators job description.  
Discussed Personnel issues and the Board Clerk.
- Next meeting: May 12, 2004 – 5:00 p.m.



**BOARD QUESTIONS AND COMMENTS****Lawson:**

- As part of his job as the AFL-CIO Community Services Liaison for the Sacramento Central Labor Council, he mobilized relief assistance for the Southern California United Food and Commercial Workers on their 21-week strike and secured over \$35,000.

On behalf of the United Food & Commercial Workers of Southern California and the community, he thanked the following individuals and Local 522 for their support in this community service effort: Larry Bennett, Doug Bine, Kevin Kinsella, Shawn Kite, Joseph Lugo, Matthew McGrew, Butch Metzger, Pat Monahan, Jeff Morgan, Jason Olson, Christian Pebbles, Joe Pick, Bob Powell, Brian Rice, Richard Schmiedt, Andy Shepard, Kevin Thompson, Mark Thomsen, Steve Turner, Jim Vell, and Pat Ellis.

**Engellenner:**

- The City of Rancho Cordova is formulating their budget and he suggested the District approach the City for a financial consideration for the use of the District facility (3121 Gold Canal Drive).

Fire Chief Martinez stated the Board authorized use for one year to expire soon and discussions have started.

**Martinez:**

- The application period for the Director of Finance closed with 11 qualified candidates; proceeding with the background checks and interview process.

**Granados:**

- May 26 Board meeting--out-of-town attending the NFPA Annual Meeting in Salt Lake City. There are two standards that affect fire department operations and will bring back available information on NFPA 1710-staffing issue and the Public Fire Protection Standards.

**Stewart:**

- May 12 and May 26 Board meetings—will be out-of-town with Vice President Jones to preside.

**Trujillo:**

- Relative to the Policy Committee under job descriptions, he was approached by an individual who thought some things he said might be discriminatory. Just wanted to make it clear for anybody who took it out of context that the job descriptions are about title and not compensation, and at no time was he trying to discriminate against anybody.

**ADJOURNMENT:**

The meeting was adjourned at 9:20 p.m.

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James M. Stewart, President

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H. Peter Engellenner, Secretary

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Charlotte Tilson, Clerk of the Board